



PATENT
Attorney Docket No. TFUND-04809
#5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: William C. O'Neil, Jr. *et al.*

Serial No.: 09/703,562

Group No.:

Filed: 11/01/2000

Examiner:

Entitled: Methods And Systems For Applying Rebates To Higher Education

TRANSMITTAL OF PETITION TO MAKE SPECIAL
UNDER 37 C.F.R. §1.102

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

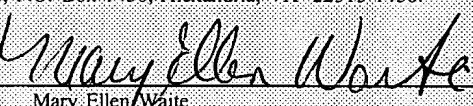
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CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: July 29, 2003

By:

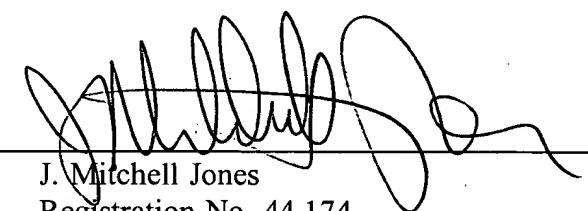

Mary Ellen Waite

Sir or Madam:

Applicants hereby submit a Petition to Make Special Under 37 C.F.R. §1.102 along with an Information Disclosure Statement and PTO Form-1449, to advance the examination of this case. Copies of each reference cited in the Information Disclosure Statement are attached hereto. This Petition is accompanied by the petition fee of \$130.00.

The Commissioner is hereby authorized to charge any additional fees or credit overpayment to our Deposit Account No. 08-1290. **An originally executed duplicate of this transmittal is enclosed for this purpose.**

Dated: July 29, 2003


J. Mitchell Jones

Registration No. 44,174

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608/218-6900

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PATENT

Attorney Docket No. TFUND-04809

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: O'Neil *et al.*

Serial No.: 09/703,562

Group No.: not assigned

Filed: 11/01/00

Examiner: not assigned

Entitled:

**METHODS AND SYSTEMS FOR APPLYING
REBATES TO HIGHER EDUCATION**

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AUG 18 2003
GROUP 3600

**PETITION TO MAKE SPECIAL UNDER
37 C.F.R. §1.102**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: July 29, 2003

By:

Mary Ellen Warte

Sir or Madam:

In accordance with the provisions of 37 C.F.R. §1.102, Applicants hereby petition to have this application made special, to advance the examination of this case. Applicants submit that the requirements in MPEP 708.02 (VIII. Special Examining Procedure for Certain New Applications - Accelerated Examination) have been met. This petition is accompanied by the petition fee set forth in 37 C.F.R. §1.17(h).

A careful and thorough search of related and prior art has been made. A list of the references deemed most closely related to the subject matter encompassed by the claims is included in an Information Disclosure Statement accompanying this Application. Copies of each reference not already of record in the parent case are attached thereto. These references may be material to the examination of the above-identified application and are therefore submitted in compliance with the duty of disclosure defined in 37 C.F.R. §§ 1.56 and 1.97. The Examiner is

requested to make these citations of official record in this application. None of these references disclose a system and/or method of funding higher education by accumulating and managing merchant rebates and distribution of monies to higher education accounts.

The twenty nine references are grouped into two categories for the Examiner's convenience. The two categories are: 1. References cited in IDS submitted September 28, 2001; and 2. References cited in Presently Submitted IDS.

1. References cited in IDS submitted September 28, 2001

U.S. Patent 6,014,643: This patent relates generally to data processing systems and networks of data processing systems, and more specifically to systems which allow individuals to trade securities directly with other individuals who are not brokers, specialist or market makers. This patent does not teach distribution of monies to higher education accounts.

U.S. Patent 6,009, 412: This invention relates to frequency and award redemption program. More particularly, the present invention relates to an on-line, interactive frequency and award redemption program which is fully integrated. This patent does not teach distribution of monies to higher education accounts.

U.S. Patent 6,009,411: This patent relates to discounting of goods and services to consumers, and, more particularly, to the electronic distribution of promotions, such as discounts and rebates for goods and services, and the subsequent resolution upon the redemption of the promotions by consumers. This patent does not teach distribution of monies to higher education accounts.

U.S. Patent 5,999,914: This patent relates to electronic merchandising systems, which provide merchants the ability to sell products over distributed public networks such as the Internet. More particularly, this invention relates to a system for providing customizable and flexible merchandising promotions over the Internet. This patent does not teach distribution of monies to higher education accounts.

U.S. Patent 5,991,736: This patent relates to a patronage incentive award system incorporating monetary incentive awards made to a retirement account. More specifically, the present invention relates to a patronage incentive award system in which a computerized system calculates and transfers to a customer's retirement account a monetary incentive award for each transaction conducted with the sponsor of the incentive award. This patent does not teach distribution of monies to higher education accounts.

U.S. Patent 5,970,480: This patent involves a debt credit award interchange system interfacing with a credit award exchange system for conversion of any form of merchant or creditor credit award resulting from consumer incurring debt due to consumer purchase of goods or services of creditor. The debtor earns a preassigned credit award per credit vehicle utilized and amount of purchased item. This patent does not teach distribution of monies to higher education accounts.

U.S. Patent 5,970,469: This patent relates generally to systems for providing incentives to customers to shop in retail stores and, more particularly, to systems for delivering customer incentives and other shopping aids via a computer network. This patent does not teach distribution of monies to higher education accounts.

U.S. Patent 5,774,870: This patent relates to a frequency and award redemption program. More particularly, the present invention relates to an on-line, interactive frequency and award redemption program which is fully integrated. This patent does not teach distribution of monies to higher education accounts.

U.S. Patent 5,761,648: This patent generally relates to the use of an interactive marketing network. More specifically, the present invention relates to the interactive use by service providers and consumers of electronic certificates over online networks. This patent does not teach distribution of monies to higher education accounts.

U.S. Patent 5,729,693: This patent relates to the consumer rebate industry, and in particular to a system to automatically provide to a consumer an electronic rebate by utilization of an existing public telephone network and system. This patent does not teach distribution of monies to higher education accounts.

U.S. Patent 5,715,314: This patent relates to user-interactive network sales systems for implementing an open marketplace for goods or services over computer networks such as the Internet. This patent does not teach distribution of monies to higher education accounts.

U.S. Patent 5,708,780: This patent relates to methods for controlling and monitoring access to network servers. In particular, the process described in the invention includes client-server sessions over the Internet involving hypertext files. This patent does not teach distribution of monies to higher education accounts.

U.S. Patent 5,513,102: This patent is directed to credit cards or bank cards and the like and, more particularly, to methods for enhancing the value of a substantially conventional credit card – both to a holder or user of the card and to the bank or other issuer of the card. This patent does not teach distribution of monies to higher education accounts.

U.S. Patent 5,467,269: This patent provides an apparatus and method for the crediting of accounts of a user for purchasing a given product. A manufacturer establishes an account with a service bureau who, in turn, sets up an access line such that the user can access the line to obtain a credit on his account. This patent does not teach distribution of monies to higher education accounts.

U.S. Patent 5,287,268: This patent relates to a centralized system of accumulating cash value for consumers based upon point-of-sale transactions by which credit incentives may be provided to consumers without reducing a merchant's current cash flow. More specifically, the present invention relates to such a system in which each participating merchant may set its own credit rate for cash value to accumulate on each sale irrespective of a rate set by any other merchant and independent of a central authority. This patent does not teach distribution of monies to higher education accounts.

U.S. Patent 5,117,355: This patent relates to a centralized system of accumulating cash value for consumers based upon point-of-sale transactions by which credit incentives may be provided to consumers without reducing a merchant's current cash flow. More specifically, the present invention relates to such a system in which each participating merchant may set its own credit rate for cash value to accumulate on each sale irrespective of a rate set by any other merchant and independent of a central authority. This patent does not teach distribution of monies to higher education accounts.

U.S. Patent 4,750,119: This patent relates to a purchasing system computer program and particularly relates to a system which includes a future guaranteed rebate to the purchaser of goods and services. This patent does not teach distribution of monies to higher education accounts.

U.S. Patent 5,727,163: This patent generally relates to a method for transferring information over a non-secure data link, and more particularly, to a method for communicating credit card data from customer to merchant, when placing an order for goods or services over the Internet or other non-secure network. This patent does not teach distribution of monies to higher education accounts.

U.S. Patent 5,664,112: This patent relates to the automated and integrated management of environmental, health and safety information as it pertains to manufacture, process, use, handle, and/or transport of chemical products and/or by-product wastes that are considered hazardous to humans or to the environment. This patent does not teach distribution of monies to higher education accounts.

U.S. Patent 6,041,308: This patent relates generally to a system for processing the sale of products and, more particularly, to methods and apparatus for processing the sale of products, such as airline tickets and automobiles, to buyers who have submitted a purchase offer for the purchase of such products. This patent does not teach distribution of monies to higher education accounts.

U.S. Patent 6,029,141: This patent relates to electronic commerce. Specifically, this invention relates to information processing methods for marketing and selling goods via the Internet or other interactive network. This patent does not teach distribution of monies to higher education accounts.

PCT WO 99/12103: This patent application relates to the field of multiprocessor computer systems and, more particularly, to address translation systems employed within multiprocessor computer systems. This patent does not teach distribution of monies to higher education accounts.

PCT WO 93/13488: This patent application relates generally to a system for promoting purchases in customer accounts such as credit card accounts, department store accounts and other consumer purchase transactions, with associated data processing. This patent does not teach distribution of monies to higher education accounts.

2. References cited in Presently Submitted IDS

U.S. Patent Application 2002 0023026 relates to an investment method wherein an investment account is initially established on behalf of an end user. In the investment method, an electronic gift certificate is created through the use of a computer for a prescribed gift amount. The gift certificate is thereafter electronically transferred to the end user through the use of a computer, with the gift certificate thereafter being redeemed by the end user for the gift amount. The gift amount is electronically transferred into the investment account, with the gift amount thereafter being transferred from the investment account into an investment product pre-selected by the end user. This patent application does not teach distribution of monies to higher education accounts.

U.S. Patent 6,484,147: This patent relates generally to a data processing system and, more particularly, to a data processing system configured for facilitating purchases to merchandise. Data regarding the purchase by a purchaser of merchandise from a merchant for a specified amount is entered into a computer. Monetary points are then calculated which are proportionate to a purchase made. This patent does not teach crediting a higher education account by debiting a merchant account.

U.S. Patent Application: 2003/0061093 This patent application lists a priority date of September 21, 2001, which is after the priority date for the present application – June 2, 2000.

U.S. Patent Application: 2003/0023491: This patent application relates generally to a data processing system and, more particularly, to a data processing system configured for facilitating purchases to merchandise. Data regarding the purchase by a purchaser of merchandise from a merchant for a specified amount is entered into a computer. Monetary points are then calculated which are proportionate to a purchase made. This patent does not teach crediting a higher education account by debiting a merchant account.

U.S. Patent Application: 2003/0014313: This patent application relates generally to a data processing system and, more particularly, to a data processing system configured for facilitating purchases to merchandise. Data regarding the purchase by a purchaser of merchandise from a merchant for a specified amount is entered into a computer. Monetary points are then calculated

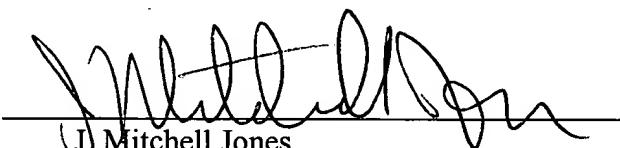
which are proportionate to a purchase made. This patent does not teach crediting a higher education account by debiting a merchant account.

U.S. Patent Application: 2002/0099601: This patent application lists a priority date of January 22, 2001, which is after the priority date for the present application – June 2, 2000.

U.S. Patent Application: 2001/0031456: This patent application relates in general to a computer-based education system, and in particular to an education system for improving individual skills over a lifetime through education adapted to learning styles or preferences, and the establishment of an educational fund. This patent does not teach distribution of monies to higher education accounts.

If the Examiner believes an Interview would help expedite the allowance of this case, Applicants ask the Examiner to call 608-218-6900.

Dated: July 29, 2003



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